

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

Our residence, post office address and citizenship are as stated below next to our name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

MODULAR WATER GARDEN CONSTRUCTION

the specification of which (check one):

☒ is attached hereto.

☐ was filed on _____ as Application Serial No. _____.

I do not know and do not believe that such subject matter was ever known or used in the United States before our invention or discovery thereof, or patented or described in any printed publication in any country before our invention or discovery thereof, or more than one year prior to this application, or in public use or on sale in the United States more than one year prior to this application, or patented or made the subject of an inventor=s certificate in any country foreign to the United States on an application filed by me or our legal representatives or assigns more than twelve months prior to said application.

I HEREBY STATE THAT I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

I ACKNOWLEDGE THE DUTY TO DISCLOSE INFORMATION WHICH IS MATERIAL TO THE EXAMINATION OF THIS APPLICATION IN ACCORDANCE WITH TITLE 37, CODE OF FEDERAL REGULATIONS, 1.56(a).

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Kenneth E. Kuffner
Registration No. 24,508

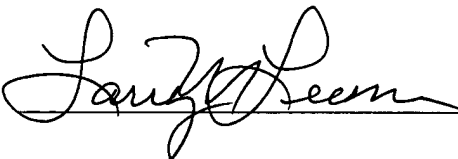
Keith R. Derrington
Registration No. 44,061

Please send all correspondence to:

ROBERTS & SMABY P.C. (Modular)
1717 MAIN STREET, SUITE 3000
DALLAS, TEXAS 75201

I hereby declare that all statements made herein of our own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize that validity of the application or any patent issued thereon.

FULL NAME OF THE INVENTOR: LARRY M. LEONE

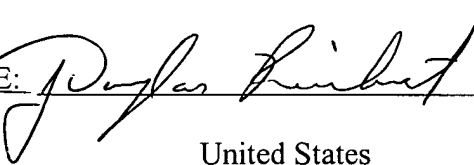
INVENTOR'S SIGNATURE:  DATE: 4/2/04

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Euless, Texas 76039

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FULL NAME OF THE INVENTOR: J. DOUGLAS REINHART

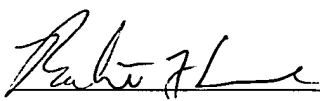
INVENTOR'S SIGNATURE:  DATE: 4/2/04

CITIZENSHIP: United States

RESIDENCE: 534 Rolling Hills Road
Coppell, Texas 76019

POST OFFICE ADDRESS: [SAME]

FULL NAME OF THE INVENTOR: ROBERT F. LEONE

INVENTOR'S SIGNATURE:  DATE: 7-2-04

CITIZENSHIP: United States

RESIDENCE: 503 Greenway
Hurst, Texas 76053

POST OFFICE ADDRESS: [SAME]

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: MODULAR WATER GARDENS LLCApplication No./Patent No.: ATTACHED Filed/Issue Date: FILED HEREWITHEntitled: MODULAR WATER GARDENS CONSTRUCTIONMODULAR WATER GARDENS LLC, a TEXAS CORPORATION
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

APRIL 2, 2004

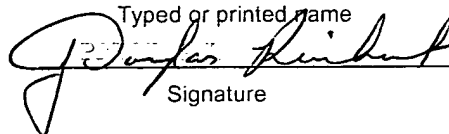
Date

817)858-0805

Telephone number

J. DOUGLAS REINHART

Typed or printed name



Signature

PRESIDENT

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.